

**Agricultural Marketing Service, USDA**

**§ 51.892**

(c) Grapes produced in States other than Arizona or California, or grapes imported from countries outside the United States during periods in which U.S. import regulations do not apply, shall meet the minimum percentage of soluble solids set forth in Table III as determined by use of a standard hand refractometer.

**TABLE III**

Variety	Percent of soluble solids
Muscat .....	17.5
All varieties not listed in this table .....	16.5
Cardinal, Emperor, Perlette, Ribier, Olivette Blanche, Rish Baba, Red Malaga, and similar varieties .....	15.5

(1) The minimum percentage of soluble solids for any lot shall be determined from the juice of at least 10 percent, by weight, of whole bunches of the least mature grapes in that container which appears to have the least mature grapes. No lot shall be considered as failing to meet these requirements unless samples from two containers which appear to have the least mature grapes test below the required percentage of soluble solids.

[48 FR 19350, Apr. 29, 1983, as amended at 52 FR 22437, June 12, 1987. Redesignated at 56 FR 15802, Apr. 18, 1991; 61 FR 11127, Mar. 19, 1996; 64 FR 14577, Mar. 26, 1999]

**DEFINITIONS**

**§ 51.889 Well developed grapes.**

*Well developed grapes* means grapes which are not abnormally small for the variety.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981. Redesignated at 56 FR 15802, Apr. 18, 1991]

**§ 51.890 One variety.**

*One variety* means that the grapes show similar varietal characteristics.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981. Redesignated at 56 FR 15802, Apr. 18, 1991]

**§ 51.891 Uniform in appearance.**

*Uniform in appearance* means that not more than one-tenth of the containers in any lot show sufficient variation in color or size of berries to materially detract from the appearance of the contents of the individual container, and that the stems are well developed and strong.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981. Redesignated at 56 FR 15802, Apr. 18, 1991]

**§ 51.892 Color terms.**

The color terms *well colored*, *reasonably well colored*, and *fairly well colored* are defined in Table IV.

**TABLE IV**

Color terms	Black varieties	Red varieties	White varieties
Well colored (U.S. Extra Fancy).	Each bunch shall have not less than 95 percent, by count, of berries showing good characteristic color. <sup>1</sup>	Each bunch shall have not less than 75 percent, by count, of berries showing good characteristic color. <sup>1</sup>	No requirement.
Reasonably well colored (U.S. Fancy).	Each bunch shall have not less than 85 percent, by count, of berries showing good characteristic color. <sup>1</sup>	Each bunch shall have not less than 66% percent, by count, of berries showing good characteristic color <sup>1</sup> except the Tokay and Cardinal varieties shall have not less than 75 percent, by count, of berries showing characteristic color. <sup>2</sup>	No requirement.
Fairly well colored (U.S. No. 1).	Each bunch shall have not less than 75 percent, by count, of berries showing characteristic color. <sup>2</sup>	Each bunch shall have not less than 60 percent, by count, of berries showing characteristic color. <sup>2</sup>	No requirement.

<sup>1</sup> Good characteristic color for black varieties means purple to black except that Ribier or similar varieties of grapes shall have at least two-thirds of the surface of the berry showing purple to black color.

For red varieties good characteristic color means at least two-thirds of the surface of the berry is light red through dark red color; except, for the Tokay variety pink through dark red, and for the Cardinal variety light red through purple shall be permitted.

<sup>2</sup> Characteristic color for black varieties means reddish-purple to black except that Ribier or similar varieties of grapes shall have at least two-thirds of the surface of the berry showing reddish-purple to black color.

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For red varieties characteristic color means at least two-thirds of the surface of the berry is pink to dark red; except, for the Tokay variety light pink through dark red and for the Cardinal variety light pink through purple color shall be permitted.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981. Redesignated at 56 FR 15802, Apr. 18, 1991]

### § 51.893 Firm.

*Firm* means that the berry does not yield more than slightly to moderate pressure and is not flabby or wilted.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981. Redesignated at 56 FR 15802, Apr. 18, 1991]

### § 51.894 Weak.

*Weak* means that individual berries are somewhat translucent, watery and soft, may have relatively low sugar content, inferior flavor, or are of poor keeping quality.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981. Redesignated at 56 FR 15802, Apr. 18, 1991]

### § 51.895 Shriveled at capstem.

*Shriveled at capstem* means that the berry shows more than slight wrinkling of the skin surrounding the capstem.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981. Redesignated at 56 FR 15802, Apr. 18, 1991]

### § 51.896 Shattered.

*Shattered* means that the berry is separated from the bunch and may or may not have the capstem attached.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981. Redesignated at 56 FR 15802, Apr. 18, 1991]

### § 51.897 Wet.

*Wet* means that the grapes are wet from moisture from crushed, leaking, or decayed berries or from rain. Grapes which are moist from dew or other moisture condensation such as that resulting from removing grapes from a refrigerator car or cold storage to a

warmer location shall not be considered as wet.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981. Redesignated at 56 FR 15802, Apr. 18, 1991]

### § 51.898 Decay.

*Decay* means any soft breakdown of the flesh or skin of the berry resulting from bacterial or fungus infection. Slight surface development of green mold (*Cladosporium*) shall not be considered decay.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981. Redesignated at 56 FR 15802, Apr. 18, 1991]

### § 51.899 Waterberry.

*Waterberry* means a watery, soft, or flabby condition of the berry. Affected berries are low in sugar content, have tender skins, and are easily crushed. This is an advanced or more pronounced stage of the condition referred to as “weak”.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981. Redesignated at 56 FR 15802, Apr. 18, 1991]

### § 51.900 Sunburn.

*Sunburn* means injury to the berry caused by exposure to the sun, including “sulphur burn,” usually occurring as a sunken and discolored or dried area on the exposed surface.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981. Redesignated at 56 FR 15802, Apr. 18, 1991]

### § 51.901 Damage.

*Damage* means any specific defect described in this section; or an equally objectionable variation of any one of these defects, or any other defect, or any combination of defects which materially detracts from the appearance, or the edible or marketing quality of the individual berry, the appearance of the bunch as a whole, or the marketing quality of the stems.